

FISCAL NOTE

SB 2671 - HB 3418

March 21, 2006

SUMMARY OF BILL: Extends the statute of limitations for rape of a child, aggravated rape, rape, aggravated sexual battery, and sexual battery by an authority figure.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$750,900 / Incarceration*

Assumptions:

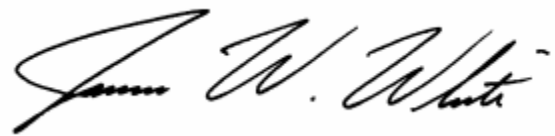
- According to the U.S. Census Bureau, population growth in Tennessee has been 1.09 percent per year for the past 10 years. No significant incarceration cost increase will occur due to population growth in this period.
- The Department of Correction (DOC) estimates a four percent increase in convictions if the statute of limitations is increased to 30 years from the date the victim turns 18 years of age. According to DOC, the average operating cost per inmate per day for calendar year 2006 is \$50.02.
- One additional person will be convicted of a Class A felony offense for rape of a child and will serve 100% of the sentence. The cost per inmate at 51 years is \$931,760.05 (\$50.02 x 18,627.75 days). The maximum cost per inmate in the tenth year, as required by Tenn. Code Ann. § 9-4-210, is \$182,698.05 (\$50.02 x 3,652.50 days).
- One additional person will be convicted of a Class A felony offense for aggravated rape and will serve 17 years (3,652.50 days). The cost per inmate at 17 years is \$310,586.69 (\$50.02 x 6,209.25 days). The maximum cost in the tenth year is \$182,698.05 (\$50.02 x 3,652.50 days).
- One additional person will be convicted of a Class B felony offense for rape and will serve 6.8 years (2,483.70 days). The cost per inmate at 6.8 years is \$124,234.67 (\$50.02 x 2,483.70 days).
- One additional person will be convicted of a Class B felony offense for aggravated sexual battery and will serve 6.8 years (2,483.70 days). The cost per inmate at 6.8 years is \$124,234.67 (\$50.02 x 2,483.70 days).

- One additional person will be convicted of a Class C felony offense for sexual battery by an authority figure and will serve 0.9 years (328.73 days). The cost per inmate at 0.9 years is \$16,443.07 (\$50.02 x 328.73 days).
- One additional person will be convicted of a Class B felony offense for attempted rape of a child and will serve 2.4 years (876.60 days). The cost per inmate is \$43,847.53 (\$50.02 x 876.60 days).
- One additional person will be convicted of a Class B felony offense for attempted aggravated rape and will serve 2.4 years (876.60 days). The cost per inmate is \$43,847.53 (\$50.02 x 876.60 days).
- One additional person will be convicted of a Class C felony offense for attempted rape and will serve 0.9 years (328.73 days). The cost per inmate is \$16,443.07 (\$50.02 x 328.73 days).
- One additional person will be convicted of a Class C felony offense for attempted aggravated sexual battery and will serve 0.9 years (328.73 days). The cost per inmate is \$16,443.07 (\$50.02 x 328.73 days).

**Tennessee Code Annotated, Section 9-4-210, TCA, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director